DOCUMENT RESUME

ED 459 550 EC 308 737

AUTHOR	Siegel, Linda; Ladyman, Stewart
TITLE	Ã Review of Special Education in British Columbia.
INSTITUTION	British Columbia Dept. of Education, Victoria.
ISBN	ISBN-0-7726-4277-X
PUB DATE	2000-06-00
NOTE	50p.
AVAILABLE FROM	For full text: http://www.bced.gov.bc.ca/specialed/review/report.
PUB TYPE	Reports - Evaluative (142)
EDRS PRICE	EDRS Price MF01 Plus Postage. PC Not Available from EDRS.
DESCRIPTORS	Accountability; *Disabilities; Educational Assessment; *Educational History; *Educational Policy; Elementary Secondary Education; Foreign Countries; Human Resources; Individualized Education Programs; *Needs Assessment; *Program Evaluation; *Special Education
IDENTIFIERS	*British Columbia

ABSTRACT

This report presents findings of a special team to review special education policy, its implementation, accountability, and program effectiveness in British Columbia. The team identified a set of issues to address including: inclusion/integration, parental involvement, assessment, Individual Education Plans, evaluation, transitions, employees who work with students with special needs, special education funding, collective agreements, and measuring success. The report includes sections which address: (1) the historical context; (2) the policy framework; (3) human resources (leadership, teacher preparation, teachers' assistants, and collective agreements); (4) financial resources (including fiscal accountability and audits); (5) assessment and early identification; (6) Individual Education Plans; (7) assessing learning (classroom-based assessment and school and system-based assessment); (8) communication and cooperation among service providers (during the school entry process, school transitions, successful practices, and technology); and (9) parental appeals. Overall, the review team agreed with current special education policy but offered 47 recommendations in the areas listed above. (Contains 45 references.) (DB)

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A Review of

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BRITISH COLUMBIA
Ministry of Education

A Review of Special Education in British Columbia

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Canadian Cataloguing in Publication Data

Siegel, Linda S.

A review of special education in British Columbia

Includes bibliographical references: p.

ISBN 0-7726-4277-X

1. Special education - British Columbia - Evaluation. I. Ladyman, Stewart. II. British Columbia. Ministry of Education. III. Title.

LC3984.2.B7S53 2000 371.9'09711 C00-960210-0

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Introduction

On March 22, 1999, the Minister of Education announced the formation of a Special Education Review Team composed of two co-chairs – Dr. Linda Siegel, Dorothy C. Lam Chair in Special Education at University of British Columbia, and Paul Pallan, Assistant Deputy Minister, Educational Support Services, Ministry of Education. On September 27, Paul Pallan assumed responsibility as Children's Commissioner for the Province of British Columbia. Stewart Ladyman, Superintendent of Field Liaison, Ministry of Education, succeeded him as co-chair of the Special Education Review. The terms of reference of the team were to review:

1. How is special education policy being implemented?
2. How are resources being used, and are they being used effectively?
3. What accountability system exists for special education?
4. How effective are existing programs for students with special needs, and how can those programs be improved? and
5. What, if any, barriers exist for special education?

When he met with the review team to discuss the terms of reference established for the special education review, Deputy Minister Charles Ungerleider suggested that they consider the promise of schooling. The promise of schooling is that all students will be challenged to reach beyond the boundaries in knowledge and experience they have previously achieved to acquire the ability to understand and navigate the world in which they live. The conditions that they bring to school should not limit *a priori* what students might be able to achieve. It is with this premise in mind that the co-chairs undertook the task of reviewing the policies and conduct of special education in British Columbia.

When the review was announced, individuals and organizations interested in the topic were invited to make submissions to the review team. By the June 30, 1999 deadline, 454 submissions were received from individuals and groups, including parents, teachers, administrators, and organizations representing particular educational interests. The team reviewed all of these submissions and found a number of common themes:

- British Columbia's system for addressing the special educational needs of students is a good one, though there is room for improvement.
- In spite of strong support for the provincial policy of inclusion this policy is not uniformly understood or implemented.
- The important contributions that teachers, teachers' assistants, and specialists make to meeting the special educational needs of students

would be enhanced by additional preparation and support.

- Leadership, commitment, and positive attitudes toward students with special education needs are critical to the successful implementation of policies and practices.
- Many students who have special educational needs are more likely to be successful if there is a stronger focus on early intervention.
- Better coordination and sharing of information when students enter school or change from one school to another would improve student success.
- Coordination among service providers, important to ensuring the success of students with special educational needs, should be improved.
- Determining the success of students with special educational needs at the school district level is made difficult because expectations about performance are neither clear nor clearly communicated.
- Information about performance is not uniformly or systematically gathered or set out in Individual Education Plans and information about success is seldom recorded or analyzed at the district level.
- The system used to determine funding for special education is unnecessarily complicated and constraining; it should be simplified and made more flexible.
- The success of students with special educational needs would be improved if planning and assessment processes were more efficient and effective.
- Special education should be staffed by personnel with necessary skills.
- Special education issues cannot and should not be separated from issues in the broader education system.
- The success of students with special educational needs would be improved if information about successful practices was more widely disseminated.
- Communication among parents, teachers, administrators, support staff and various agencies is crucial to the success of services for students with special educational needs.
- Provisions in the collective agreements between employers and unions have the unintended consequence of adversely affecting the provision of service to students with special educational needs.

The briefs also raised a number of issues that the review team pursued in consultations during November and December 1999 with more than 160 of the individuals who had submitted briefs. The review team developed a set of questions to prompt discussion in order to explore issues that any review associated with this topic must attempt to address:

- **Inclusion - Integration**

  The Ministry of Education has policies addressing inclusion and integration that are interpreted differently across, and sometimes within, jurisdictions. What accounts for the variation in interpretations? What steps might be taken to ensure greater consistency in the interpretation and application of these policies?

- **Parental Involvement**

  How should parents of students with special needs be involved in their children's education?

- **Assessment**

  Ministry guidelines for services and programs for students with special needs delineate three phases in assessment: pre-referral activities; referral to the school-based team; and referral for extended assessment. Why is it that, in practice, emphasis is placed upon referrals to school-based teams and extended assessments rather than pre-referral activities? How might pre-referral efforts be strengthened and extended by making use of teacher observation?

- **Individual Education Plans**

  Ministry guidelines for services and programs for students with special needs describe Individual Education Plans (IEPs), who must have such plans, and what the plans must address. What might be done to ensure consistent development and use of effective IEPs for the students for whom they are intended?

- **Evaluation**

  Many students with special needs are expected to achieve or surpass the learning standards set out in provincial curricula. Where goals established for students are different from the expected learning outcomes for their age or grade, how can we ensure that they consistently work toward high but attainable standards of achievement?

- **Transitions**

  Ministry guidelines for services and programs for students with special needs describe planning for transitions. What steps should be taken to ensure consistent implementation of these guidelines?

- **Employees who work with students with special needs**

  In the course of their educational programs, students with special needs will encounter administrative, teaching, and non-teaching staff members. What specialized knowledge and skills should these different staff members have in order to work with students with special needs? What preparation should such personnel receive? How might such preparation be obtained?

- **Special Education Funding**

  Special education funding is described in the appendix to the Ministry of Education document *Special Education Services: A Manual of Policies, Procedures, and Guidelines*. What, if any, alternatives exist to categorical funding of special education that will ensure that children who are in need of a particular educational or educational support service receive the service? What are the advantages and disadvantages of changing the present model?

- **Collective Agreements**

  Agreements between labour unions and employers are designed to ensure fair and consistent treatment of employees. What, if any, impact do such agreements have on students with special needs? What modifications, if any, should be made to such agreements?

- **Measuring Success**

  How can we ensure that the public is satisfied that students with special needs are receiving the full benefit of the resources devoted to their education?

The co-chairs appreciate the time and effort that all participants have given this review. The dedication of all in striving to improve educational programs for students with special needs is evident. The multitude of ideas and suggestions relating to improving all aspects of students' educational programs are important to all those involved with students who have special needs. This report is intended to strengthen the programs, services and delivery models for students within the legal and fiscal frameworks presently established.[1]

[1] We would like to thank all those parents, individuals, organizations, agencies and other ministries who took the time and effort to submit excellent suggestions. We would like to thank the staff in the Special Programs Branch, Ministry of Education, who provided information and answered numerous questions relating to the review and especially their work in researching the literature on history, leadership, and teachers' assistants and in providing bibliographies. We would also like to thank the staff of the School Finance Branch for their assistance in providing the details of the funding model.

Historical Context

Educating students with special needs has a long history in British Columbia. The first recorded legislative appropriation to provide for the education of "handicapped children" in British Columbia was made in 1890 for deaf children who were sent to attend the Institution for the Deaf and Dumb in Winnipeg, Manitoba. In the ensuing years, the two main populated areas in the province, Vancouver and Victoria, began to provide special education programs for students with visual and hearing loss, and with intellectual disabilities.

In 1925, the Putnam-Weir Survey of the School System recommended the modification of curriculum for the "mentally handicapped", and the establishment of "opportunity classes" and special schools and facilities. By 1955, the provincial government introduced funding for programs for "handicapped" children as part of the basic grant to school districts with funding tied to teacher entitlements known as "Special Approvals" – a system that remained in place until 1982 with some adjustments to encourage the greater use of a wide array of personnel to maintain students in regular classes.

The period from 1970 through 1980 was one of rapid change and growth beginning in March 1970 when, through a newly created Special Education Division, the first guide for school districts was issued to assist school districts in the development of their programs and to assist in ensuring that programs met funding criteria.

Throughout the 1980s a number of revisions and refinements to the *Ministry of Education Manual of Policies, Procedures, and Guidelines* took place. The 1980-81 document was much more comprehensive, and there was an increase in the provision of program specifics compared with earlier versions. The 1981-82 version placed a stronger emphasis on the need for Individual Education Plans and included a section on program evaluation. (McBride, in Csapo & Goguen, 1989).

Despite a *School Act* that required boards of each school district to "provide sufficient school accommodation and tuition free of charge to all children of school age resident in that school district" (Section 155(1)) and a 1980 Statement of Present Policy issued by then-Minister Hon. Brian Smith that "Every child in this province has the right to a free and appropriate education", Leslie and Goguen (1984) noted that there had not been any changes in the B.C. *School Act* or Regulations which would ensure an appropriate education for exceptional children in the least restrictive environment. They classified the B.C. legislative provisions as permissive and urged the government to follow examples set by five other provinces having mandatory legislation.

By 1985, the potential impact of the *Canadian Charter of Rights and Freedoms* was beginning to be recognized as it related to the provision of special education services in Canada and some legal challenges based on the provisions of Section 7 and Section 15 of the *Charter* had begun. McKay, writing in Csapo and Goguen (1989) wrote "School board officials must now face the reality of the courts reviewing their placement and/or program decisions on the basis of whether they are in line with the guarantees of an appropriate education under section 7, or with the equal benefit of the law protections under section 15."

In March 1987 the B.C. government established a Royal Commission on Education, headed by Barry Sullivan. In relation to special education, the commission recommended:

> That rights of special needs learners and their parents be clarified in the *School Act*, together with provisions by which any disputes between parents and school authorities would be referred to, and settled through, appropriate third-party action (British Columbia Royal Commission on Education, 1988, p. 213).

The commission also made recommendations regarding the need for "clarification of the mandates of various ministries to allow for the provision of services to those children who have been identified by Inter-Ministerial Committees as in need" (page 210), and that where necessary, ". . . special needs learners and their families be provided with extended social and educational services designed to assist these learners in overcoming the educational challenges they face" (p. 213).

In the last annual report preceding the establishment of the 1987 royal commission, the ministry reported 29,036 funded students, including 9,161 gifted students, enrolled in special education programs. This represented about 6.2 per cent of the student population enrolled in public schools. Prevalence studies in other jurisdictions placed the portion of students with special needs in the general population at 12 per cent, (10 per cent with disabilities, 2 per cent gifted) suggesting significant under-serving of students with special educational needs in British Columbia at the time the report of the royal commission was tabled (p. 213).

In response to the Royal Commission on Education recommendations, the *School Act* was revised in 1989. The basic premise in the structure of the new legislation was that all children who were of school age and resident in the district were entitled to an educational program. The definition of an educational program was "an organized set of learning activities which, in the opinion of the board . . . is designed to develop the individual potential of the learner." *(School Act 1 (1))* Thus, students with special needs were not separated from other students in terms of defining their basic right to an educational program. A series of protocol agreements with other social service ministries outlined the basic responsibility of each ministry for an array of non-educational support services. From 1994-1996 ministry guidelines for special education were revised, and ministerial orders passed, addressing the definition of students with special needs, the need for Individual Education Plans, and the placement of students with special needs.

The development of special education policy in British Columbia has taken place against

a backdrop of international discourse with regard to the education of students with special needs (UNESCO, 1994) and attempts to clarify the extent to which the Canadian Charter of Rights and Freedoms has implications for educational practice. (Edulaw, 1996). The present policy for Special Education Services was issued in 1995, following an 18-month consultative process, the receipt of over 1,000 submissions, and the report of the Special Education Advisory Committee to the Minister.

The Policy Framework

Policies provide a framework to guide action so that the intended goals are achieved. In the absence of clear policies, it is unlikely that actions will be coherent or they will achieve the goals intended. For this reason, the review team attempted to find out about the adequacy of provincial and school district policies concerning special education. Do the policies affecting special education provide a sufficiently coherent and purposeful framework for action?

The provincial policy framework for the provision of students with special needs in British Columbia is contained in the document *Special Education Services: A Manual of Policies, Procedures, and Guidelines*, (Ministry of Education, 1995), herein referred to as the *Manual*. It:

- describes the policy framework for the delivery of special education services and programs in British Columbia;
- outlines the roles and responsibilities of the ministry, school boards, district and school-based personnel, parents and students in the development and implementation of special education services;
- describes the process of identifying students who have special needs, planning and implementing individual programs for them, and evaluating and reporting on their progress;
- describes the generic services which should be available in school districts to support service delivery;
- defines the various kinds of students who have special needs and the essential elements that should be included in programs for them and the criteria that must be met for supplemental funding; and
- describes what Provincial Resource Programs are and lists those currently designated across the province.

The *Manual* also provides a reference for information related to considerations which arise in providing programs and services, and includes: detailed information on current funding of special education services and programs; information about how to access provincial services; classification systems for educational and psychological tests; lists of government materials and publications to support the educational system in the inclusion of students with special needs; and information about for planning accessible facilities.

The comprehensiveness and usefulness of the *Manual* are praised in submissions received and by those who attended the consultation sessions. It was the view of the review team that the strengths of the document emanate from the collaboration among educational partners in its development.

Notwithstanding the comprehensiveness and usefulness of the *Manual*, the review team noted inconsistencies among districts in the way in which ministry policies are interpreted and in the implementation of those policies.

The review team observed that most school boards make one of two choices about special education policy. They either adopt the provincial policy and apply it directly within their jurisdiction or they develop a district policy that complements the provincial policy in its applicability to the local jurisdiction. It appeared that some school boards do not consciously pursue either direction, increasing the likelihood that procedures for special educational services are less coherent and purposeful than they might otherwise be.

The Review Team recommends:

1. The Minister of Education direct that, by September 2001, each school board formally adopt the Ministry of Education provincial special education policy or develop a district policy that complements the provincial policy in its applicability to the local jurisdiction.

The principles of inclusion and integration, outlined in the *Manual*, are central to the provision of special education in British Columbia:

> The principle of inclusion adopted in British Columbia schools supports equitable access to learning by all students and the opportunity for all students to pursue their goals in all aspects of their education. The practice of inclusion transcends the idea of physical location, and incorporates basic values that promote participation, friendship and interaction.
>
> Integration is one way to achieve inclusion. Integration encourages students with special needs to participate and interact fully with other students in neighbourhood schools and to develop friendships. Integration involves placing students with special needs in classrooms with their age and grade peers, then providing them with the necessary support, accommodations and adaptations determined on an individual basis to enable them to be successful (pp. A2, A3)

The review found some evidence that, in the attempts to ensure the integration of particular students, their educational needs are not well met. As is explained in the *Manual*, inclusion and integration do not mean "that students with special needs must spend 100 per cent of every day in neighbourhood school class placements with their age and grade peers." The goal of meeting the educational needs of all students puts the "emphasis on educating students with special needs in neighbourhood school classrooms with their age and grade peers" but does not preclude "the appropriate use of resource rooms, self-contained classes, community-based training or other specialized settings." (pp. A2, A3)

The Manual provides guidance about the consideration of placements outside the regular classroom to meet students' educational needs.

> Students with special needs should only be placed in settings other than a neighbourhood school classroom with age and grade peers when the school board has made all reasonable efforts to integrate the student and it is clear that a combination of education in such classes and supplementary support

cannot meet their educational or social needs, or when there is clear evidence that partial or full placement in another setting is the only option after considering their educational needs or the educational needs of others. Evidence could include frequent and significant disruption of the learning environment despite appropriate classroom interventions, or the probability of physical harm to the student or others.

If alternatives to neighbourhood school classes with their age and grade peers are necessary for the above reasons for some students with special needs, then placement in alternate settings should be done as part of a plan that is regularly reviewed and updated in consultation with parents and school-based teams (if applicable) with a view to returning these students to neighbourhood school classrooms as soon as it is feasible. (A3)

It appeared to the reviewers that there is a lack of understanding that a continuum of alternative support services and placements should be available to meet student needs. Misunderstanding of and resistance to the policy of inclusion remain despite the fact that the policy is in its sixth year of implementation. Resistance to inclusion presents a challenge to those parents, employees, and trustees who support inclusion and are striving to make it work. There is need for professional development to make the policy of inclusion and the provision of services to students with special needs more successful.

The reviewers were informed that some students with special educational needs being provided with partial day programs due to funding issues not because of recommendations in their Individual Education Plan.

The Review Team recommends:

2. Given the inconsistencies in the application of the practice of inclusion, the Minister of Education should direct school boards to review the principles of inclusion and integration set out in the **Manual** ***to ensure that appropriate policies and programs have been established for students who have special educational needs, and to report to the Minister the results of that review by September 2001.***

3. School boards must ensure that each student's educational program is based on educational needs of the student with special educational needs and not based solely on funding allocations.

The co-chairs were told of students with special needs being suspended or expelled from school for lengthy periods of time. School districts must ensure a safe environment for all students and employees while at the same time providing students enrolled in their system with a meaningful educational program. Policies must be established to ensure everyone behaves proactively to prevent the suspension of students. Alternatives to suspension or expulsion may be more appropriate and result in learning new behaviours and understanding consequences.

The co-chairs learned that parents are concerned about policies and practices on medical exclusion of students from school. Some children with health care problems are being excluded from school, some based on their concomitant behaviour problems.

Some school districts have taken the position that once a student has been excluded from school, for whatever reason, that these students are not the responsibility of the school board. This has created tension among parents, school district officials, and Ministry for Children and Families agencies and staff who are involved with the student and their families.

Under Section 91(6) of the *School Act*, the school board must continue to make an educational program available for students who are removed or excluded from school because of a "communicable disease or other physical, mental or emotional condition that would endanger the health or welfare of the other students, the teacher or the administrative officer."

The Review Team recommends:

4. The Minister of Education should direct school boards to develop policies by September 2001 on suspension and expulsion of students with special needs that will ensure that such students have been adequately assessed, that appropriate interventions are applied before suspension is considered, that the grounds for suspension are clear and appropriate, that meaningful education programs or interventions are offered during the period of suspension, and that planning is undertaken for successful re-entry.

5. The Ministry of Education should formally remind school boards of their responsibility to provide an educational program to students who are removed or excluded from school under Section 91(6).

Human Resources

Leadership

The importance of leadership in education and the characteristics of leaders and the functions they perform in school organizations have been well documented. In early studies, Chalfant (1967) and Marshman (1972) in the United States and Rawlyk (1974) in Canada investigated factors related to special education services in school districts and identified leadership as a key variable. Burrello and Zadnick (1985) were the first to examine in a comprehensive way the critical success factors beyond the basic leadership characteristics that are of importance for administrators responsible for special education in school districts in the USA and Canada. They identified the following critical success factors:

- knowledge of current literature, research, and best practices;
- the ability to communicate a sense of purpose and vision and what must be done to achieve it;
- symbolic leadership that places value on the programs and services being perceived as child-centred and demonstrating instructional effectiveness;
- building and maintaining morale through conflict management interventions, communication, co-ordination, and negotiation;
- sensitivity to the power structure and politics of the system;
- technical knowledge and expertise to influence the approval of proposals and ideas which benefit special education students. (pp. 3-27)

Lipp (1992), in her analysis of new leadership challenges in administering special education services in an increasingly inclusive milieu, summarized research on this issue as follows:

> In a milieu where the movement toward integration can be documented, the task of administering an integrated special education program becomes complex and stressful. The administrator must facilitate the interface of regular and special education in such a way that special education philosophies and instructional methods are accommodated as part of an integrated system in a general education environment. Moving the concept of an interface from abstraction to implementation is not an easy task, especially with staff who admit to lack of appropriate training. For administrators, the balance between pressure and support is delicate. A new emphasis on holistic approaches to the needs of the child that involve major interagency co-operation and collaborative service delivery must be orchestrated (pp. 19-29).

Hehir (1999), based on major trends, predicts that in the coming years special education administrators will require five major characteristics:

- continuing knowledge of legal issues and status and implications for practice;
- deep knowledge about the diverse needs of students with special needs and an ability to translate that knowledge into practice;
- excellent collaborative skills;
- ability to develop effective relationships with external agencies at the local level; and
- increasing ability to form effective alliances with parents and the disability community. (pp. 3-8)

The extent to which leaders responsible for special education in B.C. school districts have the necessary knowledge and skills has profound implications for the effectiveness of special education across British Columbia.

The move toward greater emphasis on school-based management has begun to focus attention on the role of the school principal in the effective inclusion of students with special needs (Van Horn, Burrello, & DeClue, 1992). Rude and Rubadeau (1992) examined the critical success factors for principals in the United States and Canada as leaders in special education in the context of a shifting backdrop in which both directors of special education and building principals are re-defining their roles in the enterprise. The Canadian portion of the study used special education guidelines established for British Columbia and case law emerging in Canada at both the federal and provincial levels to examine these factors. British Columbia principals demonstrated a higher tolerance for uncertainty and were more likely to operate from a problem solving or "adhocracy" point of view than their United States counterparts. In both countries, elementary principals placed a high value on the ability to network and collaborate in the development of programs for learners with special needs. The most important competencies ranked were:

- selecting special education staff who espouse the philosophy of integration;
- recognizing the need for program and staff development in special education;
- fostering the inclusion of students with special needs by modeling total school responsibility for all students;
- possessing a philosophical orientation that indicates integration of students with special needs benefits all students;
- recognizing of specialized instructional needs and appropriate access to technical support;
- identifying and accessing human services organizations on behalf of students in need. (pp. 55-62)

The Review Team recommends:

6. The Minister of Education should request that the British Columbia School Superintendents' Association and the British Columbia Principals' and Vice-Principals' Association report to the Minister by September 2001 how the associations ensure that factors critical to the success of special education services are understood and practised by their members.

Teacher Preparation

The co-chairs are aware of the multitude of professional development activities that are presently offered in British Columbia by teacher training institutions, school districts, unions, interest groups and parent support organizations. Funds for these activities may come from the implementation and training funds in the operating budgets of school districts. Excellent resources have also been prepared by the Special Programs Branch, provincial specialist associations, and other organizations that are appropriate for use by staff in educating students with special educational needs.

Although current regulations of the British Columbia College of Teachers require that programs of initial teacher education include attention to students with special educational needs,[2] many of the teachers currently employed in British Columbia's schools have not had the benefit of formal preparation for working with students with special educational needs. Indeed, many teachers expressed the view that they feel that they do not have the knowledge they need to work with such students.

The Review Team recommends:

7. The Ministry of Education should establish a program of tuition rebates to enable teachers to enroll in approved credit courses to increase their understanding of students who have special educational needs and their understanding of successful methods for addressing the educational needs of such students.

A well prepared workforce with skills needed to address the students' educational needs is fundamental to an inclusive vision. British Columbia schools include a portion of students who, in previous generations or in other jurisdictions, would be excluded from school or have their schooling segregated from the majority of students. At the same time, the majority of students with special educational needs have never been segregated. As a consequence, teachers will frequently encounter students with special educational needs.

It is important that all who prepare to teach understand the diversity of students with special educational needs and are introduced to such students during their training practica. It is also important that programs of initial teacher preparation equip beginning teachers with assessment and intervention skills appropriate for working with students who have special educational needs and the ability to supervise paraprofessionals. In particular, all teachers should possess knowledge of how children develop reading, writing, spelling, arithmetic and mathematical problem-solving, social, and behavioural skills. This knowledge should be a part of all programs of initial teacher education.

The Review Team recommends:

8. The Minister of Education should encourage the British Columbia College of Teachers to ensure that all teachers who successfully complete an approved program of initial teacher education have undertaken course work that includes attention to special education as well as practica that involve

[2] British Columbia College of Teachers, *Policies*, June 18, 1999.

work with a diverse range of students who have special educational needs.

The co-chairs were told that the large urban school boards have joined small, rural school boards in experiencing a shortage of specialist teachers required to provide services to students with special needs. Institutions responsible for the preparation of teachers are experiencing a decrease in the number of students entering programs that provide advanced preparation for persons working with students who have special educational needs. The assistant deputy ministers involved in the Western Canadian Protocol Agreement have proposed the design of distance education courses in the areas of visual and hearing impairments so that practising teachers in all four provinces will have access to specialty training. This approach may help to ensure that advanced education in the area of special needs is accessible to teachers anywhere in the province.

The Review Team recommends:

9. The Ministry of Education should provide tuition rebates to teachers who undertake advanced study in special education in areas of significant shortage such as visual impairment.

10. The Ministry of Education should provide resources for the development of distance education courses in special education so that teachers working in remote regions of the province may undertake such courses in their home communities.

Training in Effective Behaviour Support sponsored by the Ministry of Education with the support of the B.C. Council of Administrators of Special Education (BC CASE) is assisting the school system to improve student behaviour. This and other training opportunities through the Safe Schools Initiative are highly regarded by teachers and administrators.

The Review Team recommends:

11. The Ministry of Education should work with local school boards, BC CASE, the British Columbia Teachers' Federation and the British Columbia Principals' and Vice-Principals' Association to ensure the continuation of the Effective Behaviour Support Training Program and other staff development activities of the Safe Schools Initiative.

Teachers' Assistants

Some parents feel that teachers have relinquished their responsibilities for the education of their children to teachers' assistants. There is little doubt that support staff are critical in assisting teachers. Nonetheless, teachers are legally responsible for the education of students.

The *School Act* (Section 18(1)) permits boards to employ persons other than teachers to assist teachers in carrying out their responsibilities and duties under the Act and the regulations. Persons employed under this subsection shall work under the general supervision of a teacher or administrative officer. The *Manual* outlines the guidelines regarding the role and responsibilities of teachers' assistants:

> Teachers are expected to design programs for students with special needs. Teacher assistants play a key role in many

programs for students with special needs, performing functions that range from personal care to assisting the teacher with instructional programs. Under the supervision of a teacher they may play a key role in implementing the program.

While teacher assistants may assist in the collection of data for the purpose of evaluating student progress, the teachers are responsible for evaluating and reporting on the progress of students to parents.

In cases where teacher assistants are required to perform health-related procedures, the inter-ministerial protocol for the provision of support services requires that they be given child-specific training by a qualified health professional. (see Province of British Columbia, *Inter-Ministerial Protocols for the Provision of Support Services to Schools*, Victoria: October 1989).

The Report of the National Joint Committee on Learning Disabilities (1998) speaks to the issue of ethical responsibility to students by professionals (teachers). The report stresses that while a paraprofessional may execute specific components of a student's program as outlined in the IEP, the professional responsibility of the teacher remains.

In British Columbia, from 1990 to 1999, the number of teachers' assistants has grown from 1,630 to 6,508. No province-wide data exist which differentiates teachers' assistants whose primary role is caring for the personal care and safety needs of students from those whose primary task is instructional support.

There is a trend toward increased numbers of teacher assistants, to some degree as a consequence of negotiations between employers and employee groups. In their review of the literature on the utilization of paraprofessionals Jones and Bender (1993, pp. 7-14) reported the following trends:

1. There is a Canada-wide increase in the number of teaching assistants working with students with special educational needs;
2. There is a lack of data documenting the effects of the use of paraprofessionals on student outcomes;
3. Researchers have not yet addressed the changes brought about by the inclusion movement as it relates to paraprofessionals;
4. Few jurisdictions are attending to systematic training or certification of paraprofessionals.

One of the few studies of effects of paraprofessionals on students addresses the issue of proximity. (Giangreco et al., 1997) Through direct observation in classrooms, they concluded that while some proximity between students and instructional assistants was necessary, excessive adult proximity was not necessary and was potentially detrimental to the student. Some of the problems they identified were:

- interference with ownership and responsibility by teachers;
- separation from classmates;
- dependence on adults;
- impact on peer interactions;
- limitations on receiving competent instruction; and
- loss of personal control.

An important finding of the study was that most of the classroom teachers did not describe their role as including responsibility for educating the student with disabilities, thus giving responsibility and ownership for the education of these students to teachers' assistants. In some situations this approach can be construed as a segregated model with no teacher control or involvement in the student's educational program.

A recurrent theme across the literature on the utilization of teachers' assistants is the question of supervision. It is important to differentiate day-to-day supervision from that of performance evaluation. Teachers consistently take the position that it is not their role to evaluate the performance of teacher assistants (Pickett & Gurlach, 1997). There is a lack of training for teachers in working with and supervising other adults (Salzberg & Morgan, 1995; Friend & Cook, 1992). Provision needs to be made for effective supervision of and collaboration with teachers' assistants.

Morgan, Hofmeister and Ashbaker (1995) reviewed the status of training for para-educators in the United States. A total of 32 training programs, from 18 states, were identified. They concluded that considering the number of personnel employed in these positions, the number of training programs was relatively small, and that there was a lack of consensus about training topics. Some American states (Washington, Minnesota, Utah, Iowa) have begun to articulate core competencies for paraprofessionals and the Council for Exceptional Children (1998) has recently included a section on necessary knowledge and skills for paraprofessionals working in the area of special education.

In 1995, British Columbia's Ministry of Skills, Training and Labour commissioned a study to develop an *Inventory of Teacher Assistant Training Programs* available in the province. The Inventory revealed considerable diversity in the range of then-existing programs, courses, and offerings, and it raised concerns about program content, consistency, flexibility, and accessibility.

Currently, British Columbia is engaged in a process of research and dialogue among colleges and sectors of the education system, under the leadership of the Ministry of Education and the Ministry of Advanced Education, Training, and Technology to identify the common core content that should be included in training programs for teachers' assistants across college programs in British Columbia.

The Ministry of Education has in preparation a resource book for school districts which identifies promising practices in the effective use of teachers' assistants in special education in the current B.C. environment. In summary, the major themes in the literature regarding teacher assistants relate to:

- role clarification, differentiation, collaboration, and professional ethical considerations;
- in-service and pre-service training requirements and certification;
- supervision and evaluation; and
- effectiveness and impact on students.

The Review Team recommends:

12. The Minister of Education should direct the deputy minister to empanel a committee to delineate the roles and responsibilities of non-teaching employees who work with students who have special educational needs

as well as appropriate standards for the preparation of such personnel. This committee should report to the Minister by September 2001.

Collective Agreements

The collective agreements between employers and both teaching and non-teaching employees contain clauses pertinent to special education. Included in such agreements are clauses that may:

- define special needs in terms that differ from those used in Ministry of Education guidelines;
- limit the number of students with special needs per class;
- require that class sizes be reduced when the class contains students with special educational needs;
- require particular assessment to determine whether a student has special educational needs;
- provide that certain actions occur before a student with special educational needs may be placed in a class;
- specify levels of staffing in situations involving students with special educational needs;
- specify the certification that employees must possess to work with student with special educational needs;
- require specialized equipment or a process for determining equipment and facility needs prior to placement of a student with special educational needs in a particular classroom;
- establish qualifications for the purpose of posting and filling positions;
- specify responsibilities for planning, implementing and monitoring IEPs;
- outline the roles and responsibilities of staff in the structure and function of school-based teams;
- govern the administration of medication to students; and
- contemplate continuity of relationships between employees and students with special educational needs.

The co-chairs received many comments regarding the effect of collective agreements on the provision of services to students with special needs. Concerns were expressed about contract driven staff changes both for teaching and non-teaching support staff occurring at various times throughout the school year. It was asserted that such changes disrupt adult-student relationships to the detriment of students with special educational needs and upset the support team that had been established to assist the student. The co-chairs were also informed about conflicts that have arisen between unions and employers about the educational programs offered to students with special needs.

The co-chairs believe that the educational needs of students must be paramount in the decisions that are made about the deployment of staff and provision of education.

The Review Team recommends:

13. The Minister of Education should ask employer and employee organizations to identify clauses in existing collective agreements that might adversely affect students with special needs or contravene the rights of such students under the* School Act, *the* Charter of Rights and Freedoms, *or provincial human rights legislation, and to undertake steps to eliminate such clauses from future agreements.

Financial Resources

Supplementary funding to school districts for special education is provided by the ministry as a targeted grant. The funding amount is determined in three ways:

1) Districts receive a core amount calculated on a district amount of $280,000 plus $3,943 for each school in the district.

2) Per pupil funding is allocated based on the number of students identified in certain special education categories. Each school reports the number of students in these categories to the ministry. Some of these categories are capped at a set maximum of students per district (for example, 2 per cent for students in the gifted category). In order for a school board to receive this per pupil funding, certain assessments must be appropriately documented and the students' programs or services must be provided by the district in accordance with policies and guidelines in the *Manual*. The ministry conducts random audits of individual student records to ensure compliance with these guidelines.

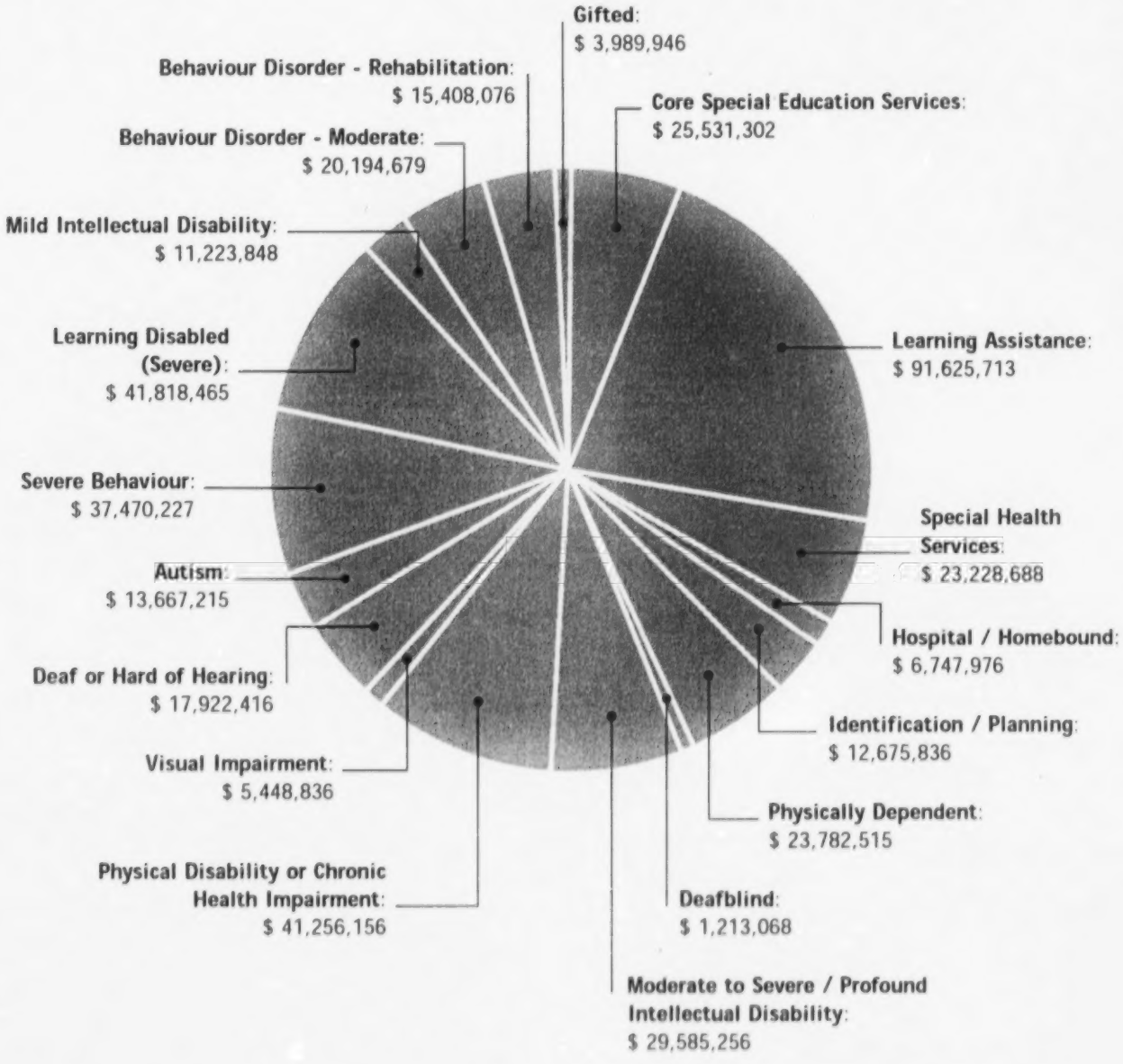
3) Funding for other services (such as learning assistance, hospital homebound services and special health services) is based on the total student enrollment in the school district. The number of students receiving these services are not reported to the ministry.

The present system of targeting supplementary funding for special education funding within the global funding to school boards operates on the assumption that Ministry of Education control over the expenditure of these funds ensures that they are spent on services to benefit students who have special educational needs. A school board may not budget or spend less than its targeted amount in providing additional services to students who have special educational needs, but may budget or spend more. Funding for individual categories of special needs within special education is not prescribed, allowing local school boards flexibility within the special education funding envelope.

In 1999/2000 the Ministry of Education allocated $422,790,218 to special education. A preliminary review of the 1999/2000 school board preliminary budgets shows that $54,000,000 above the Ministry of Education target minimum has been budgeted for special education.

Figure 1 on page 23 illustrates the distribution of funds allocated by the British Columbia Ministry of Education for special education for the fiscal year 1999/2000.

Figure 1. Distribution of Special Education Funds Provided by the Ministry of Education: 1999-2000



As the following list of funding categories illustrates, the current system for allocating the funds provided by the province is complex.

Service	Funding Details
Core Special Education Services	$280,000 per district $3,943 per school
Identification / Planning: educational testing and IEP development	$20.72 per district student FTE
Special Program Transportation funding for students with specified disabilities	$169 per qualifying student FTE
Hospital / Homebound	$12.01 per district student FTE (if no Provincial Resource Program grant) or $6.00 per district student FTE if the district is receiving the PRP grant
Learning Assistance	$132 per district student FTE and, $6,916 per school
Special Health Services: Physiotherapy / Occupational Therapy Speech Services	$39.45 per district student FTE
Dependent Disability	$31,910 per student with dependent disability
Severe Disabilities (Low Incidence / High Cost)	$12,460 per student with severe disabilities
Severe Behaviour	$6,014 per student with a severe behaviour disorder
Moderate Disabilities (High Incidence / Low Cost)	$3,132 per student FTE with moderate disabilities to a maximum 4% of district's student population
Gifted	$341 per student FTE enrolled in a gifted program to a maximum of 2% of district's student population
Technological and Specialized Equipment	Equipment for students with hearing, vision, or physical impairment is provided without charge; Ministry of Education separate arrangement

The Review Team recommends:

14. The Ministry of Education should modify the current per pupil portion of the funding system such that students in the Severe Disabilities (Low Incidence/High Cost) and Dependent Disability categories continue to be funded using per pupil formulas under the present system and that supplementary funding for services for all other students with special educational needs (including learning assistance) be provided to school boards on a proportional basis.

Fiscal Accountability and Audits

In 1997, a Ministry of Education committee known as the Working Group on Detargeting and Accountability was formed to examine whether special education funding should remain targeted. In its November 1997 report, this group recommended that an effective accountability system should address the three goals of education in British Columbia (intellectual, social, and career development), three dimensions of accountability (inputs, processes, and outcomes), and three levels (classroom/school, district, and province). (*Detargeting and Accountability Report*, 1997: 6). Changes have been made to the accountability system since the receipt of the report; students who have special educational needs are now reported in the student level data collection system by category. This permits analysis of student success at the school and district level for students receiving special education services.

The review team believes that the method of reporting and accounting for actual expenditures for services provided to students with special needs requires modifications. Several current practices need to be examined. For example, costs such as class size reductions, administrative costs, and other indirect costs may presently be charged against the targeted funds according to the *Accounting, Budgeting and Financial Reporting Manual*. In addition, inconsistent application of criteria from district to district and over time prevents valid analyses pertaining to delivery of service. The current funding system does not promote effective early identification and pre-referral intervention and encourages the system to spend resources on more expensive forms of assessment.

Time and effort are being wasted complying with funding requirements. The co-chairs were informed of IEPs being developed solely to satisfy the funding and auditing processes rather than for the critical planning purposes for which they are intended. The existing funding system requires categorization that consumes valuable time and resources for assessment to secure funding. To ensure compliance, the Ministry of Education conducts audits that focus on the classification of students and the provision of programs rather than determining whether the students have achieved the educational outcomes for which their programs were established. Formal assessments for audit purposes are often time consuming, expensive, and unnecessarily complicated. The co-chairs believe that instead of the current audit system there should be educational audits of the programs and progress of students with special educational needs.

The Review Team recommends:

15. The Ministry of Education should change its auditing system for special education funding from one that focuses on compliance with assessment and planning processes and procedures to one that focuses on the educational progress of students who have special educational needs.

16. The Ministry of Education should continue to target funds for special education until appropriate procedures are established to ensure that resources are being used to improve success for students who have special educational needs.

17. The Ministry of Education should revise its* Accounting, Budgeting, and Financial Reporting Manual *to ensure clarity for the Ministry of Education, school boards, employees, parents and the community in accounting for all targeted special education funds.

The co-chairs are also aware that some districts have decentralized their special education by allocating district targeted funds to individual schools. This is called the site-based financial management model. Such annual allocation of all the district's resources to the school level may make it difficult to provide unique specialized services to students enrolled in certain schools across a district. In some cases, site-based management of special educational resources has even created the impression that the provincial funding is provided for a specific student and can only be spent on that student. The funding system was never meant to be a specific spending system within each individual category nor were funding amounts intended to be targeted to individual students. The types and intensity of service should be provided based on the needs of students, not on funding category formulas.

The Review Team recommends:

18. School boards should ensure that when special education funds are allocated to schools for site based management that the maximum benefit for students with special educational needs is derived from these financial resources. School boards should consider retaining some of the targeted funds as a contingency to provide district or regional services to specific programs.

The co-chairs are aware that a number of students with special educational needs do not currently fall into a ministry funding category that specifically names their disability or diagnosis. Even though current guidelines in the *Manual* provide direction to school districts about this issue, the review team heard about problems securing resources at the district or school level to provide support services for these students. We believe that the processes of district identification and assessment would become even more problematic and cumbersome if further categories were created. Furthermore, we believe that rather than further complicating the funding system, it is more appropriate to emphasize the importance of monitoring all students' learning needs and providing early classroom-based identification, remediation, and support based on needs, not categories.

The Review Team recommends:

19. The Ministry of Education should refrain from establishing new categories for funding students who have special educational needs.

20. The Ministry of Education should examine performance of students receiving special educational services in comparison to students who have not been identified as students with special educational needs.

Assessment and Early Identification

In conducting the special education review, the co-chairs heard a great deal about current assessment practices, beginning at the classroom level and extending to involve other professionals in order to identify students who may have special educational needs. Ministry guidelines in the *Manual* describe a continuum beginning with classroom-based assessment and interventions by classroom teachers and moving through consultation with school based team to more formal assessments when they are needed to plan a student's educational program.

The co-chairs learned that formal out-of-class assessment for special education purposes appears to be supplanting regular, systematic classroom assessment of reading, spelling, writing, arithmetic and mathematics skills, and social skills of students. In many instances the review team learned that educators are referring students for extensive psycho-educational assessments to determine which students are eligible to receive special education services and to justify the allocation of funds to school districts. The team heard that significant effort is too frequently expended on this identification process rather than on supporting the needs of the students, and that this may be influenced by the present categorical funding system.

It is important to re-evaluate current assessment/identification practices and implement alternative strategies, where necessary, to ensure that more students are supported within the context of regular education and to ensure that those who do require special education supports receive them in a timely manner. Effective teaching practice includes continually assessing the learning of all students. When difficulties are evident, teachers can and should intervene early in systematic ways. Simple classroom based assessments and immediate action can be helpful in preventing the need for more intensive support and more formal assessment later.

Regular, systematic classroom based assessment should be a routine part of instructional practice in all primary grades. Standardized tests of reading, spelling, arithmetic calculation and mathematical problem solving, and using a writing sample to analyze the written expression skills and observations to understand the social skill development of students, are essential elements of such assessments.

Systematic analyses of errors on standardized tests may provide useful information about a student's level of functioning and can help teachers understand the strategies the student is using. Difficulties uncovered in such on-going assessments often indicate the need for a different learning strategy for the student and a different teaching methodology or instructional approach for the teacher. By skillfully using classroom based assessment,

teachers can make adaptations to their instruction that will benefit students and may preclude the need for more expensive formal assessments and interventions.

The process for assessing whether or not a student has a learning disability illustrates the concern. This process as it currently exists has been made unnecessarily complex and often does not provide useful information to the teacher for successful intervention. Identification of learning disabilities should occur at the classroom level using a simple teacher applied system. Brief, but standardized tests of word recognition, decoding of pseudo-words, reading comprehension, spelling, writing, and computational arithmetic and mathematical problem solving will detect most, if not all, learning disabilities. A low score on any of these is a danger signal. A score that is a least one standard deviation below the mean should be considered to be a sign of a significant weakness. A score that is at least two standard deviations below the mean is a sign that strong, specific remedial or compensatory action is required. [3]

In British Columbia and many other places, IQ tests are typically used in the identification of a learning disability. The ministry currently uses the presence of a discrepancy between IQ test score and standard scores for achievement to identify students in the category of Severe Learning Disability for the purposes of allocating special education funding, although the presence of such a discrepancy is not a necessary part of the definition of a learning disability. According to current practice, if there is a significant discrepancy, then the student is said to have a learning disability. If the students are poor readers but show no discrepancy between their IQ and reading scores, then they are not considered reading disabled.

A significant number of studies examining learning disabilities have found no difference in the reading (including reading comprehension), spelling, and phonological skills between learning disabled individuals with high and low IQ scores, and that there are no differences between dyslexics and poor readers on measures of the processes most directly related to reading.

G. Reid Lyon of the U.S. National Institute of Child Health and Human Development writes:

> The assumption that a discrepancy between achievement and aptitude (typically assessed using intelligence tests) is a clear diagnostic marker for learning disabilities...is at best premature, and at worst invalid (Lyon, 1995, p. 512).

Significantly low achievement scores should be sufficient to classify a child as having a learning disability, assuming that the child has had opportunity, appropriate education, does not have a severe neurological or

[3] In North Vancouver, children were assessed in Kindergarten with a battery of language, memory and phonological awareness tasks that took approximately one-half hour to administer. Children identified as being at risk, that is with scores significantly below their classmates, were identified to the teachers who made special efforts to help them and see that they participated in tasks to improve their skills. This program has been successful in reducing the number of children at risk. In Kindergarten, approximately 25% of the children who had English as a first language showed signs indicating a likelihood of reading failure. At the end of Grade 1, only 5% were showing signs of such difficulty. Forty per cent of children who had English as a second language showed signs of skill deficiencies at the Kindergarten level and only 9% at the end of Grade 1 were at risk.

psychiatric disorder, and has not recently moved from a non-English speaking country. Formal psycho-educational assessment is typically unnecessary for students with learning disabilities. It is not always in the best educational interests of the student, despite its present use to justify identification of the student in a funding category. [4]

The Review Team recommends:

21. The Minister of Education should direct school boards to report by September 2001 how they are using classroom based early assessments to detect students' skill difficulties and determine appropriate teaching/learning strategies to correct learning difficulties in reading, writing, spelling and numeracy.

22. The Minister of Education should direct school boards to report by September 2001 whether their special education policies require the appropriate use of criterion referenced assessments at the classroom level for the purpose of planning instruction, adapting instruction, and providing remediation.

Early intervention during the first years of schooling can reduce or even prevent problems. Research (Keating & Hertzman, 1999) has demonstrated that children who feel valued, successful and safe in their early years will be less likely to engage in behaviour that is harmful to themselves and/or others. This research showed that for every education-related dollar we spend during a child's early years we save many dollars in the health care and justice systems.

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[4] The following illustrates our argument about the limited utility of the system of categorization in relation to the students categorized as "learning disabled." Learning disabilities is a term that refers to a broad range of difficulties in reading, spelling, arithmetic (mathematics), and/or written language in spite of average or above average intelligence. This definition is much too general to use in diagnosing the difficulties that a student may have or for making decisions about the educational interventions likely to prove successful in addressing those difficulties.

Learning disabilities are typically limited to domains that are related to school learning, specifically reading, writing, spelling, and arithmetic and mathematics. Over the past 30 years, it has become clear that there are two major clusters of learning difficulties. The most commonly known is a reading disability, sometimes called dyslexia. In practice, there is no difference in meaning between the terms "dyslexia" and "reading disability". Another equally prevalent but less commonly known disability is an arithmetic (mathematics) disability, sometimes called "nonverbal learning disability," "developmental output failure", "writing-arithmetic disability" or "visual-spatial disability".

Although there is admittedly some heterogeneity within the two major clusters, they do share enough common characteristics to be considered as specific entities. Some individuals have difficulties only with writing and/or spelling. As these written language problems usually occur in the context of problems with reading and/or arithmetic and mathematics, the existence of a separate written language disability is not clearly established nor does a clear definition of such a disability exist. Spelling difficulties can occur in the absence of severe reading disabilities. There also may be problems with understanding or producing language. These problems have not been documented as distinct learning disabilities and are often components of dyslexia. If learning disabilities are to be treated as measurable entities and if individuals are to receive educational services based on the presence of a single or multiple learning disabilities, then, obviously, it is important to determine what these learning disabilities are and what interventions will overcome the difficulties.

Individuals with "developmental output failure" or "writing-arithmetic disability" have difficulty with computational arithmetic and written language, typically in the absence of reading difficulties, although this disability can co-occur with dyslexia. Such individuals often have difficulties with spelling, fine-motor coordination, visual-spatial processing, short-term and long-term memory (e.g., multiplication tables), but usually have good oral language skills.

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Even without formal assessment, schools can recognize students who are experiencing learning difficulties. Intervention programs provided early in the primary grades may foster student success by helping students to become effective learners before learning difficulties result in student failure/retention and low self-esteem. Such programs might also result in a decline in negative outcomes for the student such as early school leaving, delinquency, and dependency on social assistance. In some cases, the negative effects of environmental factors, such as inadequate exposure to literacy materials, can be minimized by appropriate early intervention initiatives.

The Review Team recommends:

23. The Minister of Education should direct school boards to implement policies and practices to ensure early identification of, and intervention with, students who have special educational needs, and to report to the minister about the implementation of such policies and practices annually, beginning June 2002.

There are students with special skills, gifts and talents. Schools need to nurture these special abilities. Students who are in the gifted category were frequently mentioned in the review as needing additional focus and support. Some of these children are also learning disabled.[5] These learners need both the support to deal with their disabilities and the stimulation to challenge them.

The Review Team recommends:

24. School boards should assess the needs of students with special gifts and talents and provide them with appropriate early intervention and sustained support.

[5] Many individuals with learning disabilities have talents in the areas of art, dancing, mechanics, music, and/or sports. For example, both Agatha Christie and W.B. Yeats had learning disabilities that can be documented but were obviously individuals with considerable talent. The recognition of these strengths is important to the development of educational strategies and to the self-esteem of the individual.

Individual Education Plans

The Individual Education Plan (IEP) is an important document for planning education supports and monitoring the progress of students who have special educational needs. Concerns were expressed about IEPs, their development, and their use. Observations were made about the lack of consistency in the preparation of IEPs and about the complexity of the process.

Current legislation requires that parents be offered the opportunity to consult about their child's IEP and that school boards provide educational activities in accordance with the IEP. In 1995, the ministry published a guide for schools on preparing IEPs called *Individual Education Planning: A Resource Guide for Classroom Teachers*. This handbook for teachers clearly outlined the components of effective IEP planning, including the involvement of parents. In 1996, the British Columbia School Superintendents' Association and the Ministry of Education published *Parent's Guide to Individual Education Planning* that clearly outlines for parents their role in the planning of the IEP (for comparison see *Partners During Changing Times*, Alberta Education, Edmonton, Alta., 1996).

However, many parents expressed to the co-chairs that they feel excluded from the IEP planning, that their suggestions are not seriously considered, or that the IEP agreed upon is not implemented. It was clear to the review team that parents of students with special educational needs want to be more involved in their children's education. They feel that they are the ones who are most intimately acquainted with their child's strengths and needs. They want their opinions to be heard and understood by the school system. On the other hand, school personnel urge parents to acknowledge that the school environment is quite different from the home. Students benefit when families and school staff are working in a collaborative manner.

The Review Team recommends:

25. The Minister of Education should direct school boards to indicate by September 2001 how the practices of the school board are consistent with the requirements of the Individual Education Plan Order.

26. Faculties of education, as part of their initial teacher education, should provide instruction in the preparation of IEPs and parental participation in the process.

27. IEPs should be dynamic and teacher-coordinated. The Ministry of Education should provide school boards with a range of IEP templates and clear instructions that parents must be consulted about the program being planned. The IEPs developed using the templates should outline the students' needs and pathways to success and be specific about the results to be obtained.

Assessing Learning

Classroom-Based Assessment

Regular classroom assessment of all students, especially those with special educational needs, is essential to ensuring that they derive maximum benefit from their educational experience. All students have potential and the right to be challenged to use that potential to the best of their abilities. Measuring student performance against standards for outcomes is a way of helping the students see their progress. The present system of classroom assessment does not provide sufficient information to determine how students with special educational needs are faring relative to their non-disabled peers.

The ministry has recently developed *Performance Standards* to describe and illustrate levels of student performance. Teachers will be able to use these standards to help them determine student progress towards provincial educational outcomes in reading, writing, numeracy, and citizenship/social responsibility. Using these new resources should help teachers to intervene when student performance indicates learning difficulties. These standards will also be helpful as a tool for communicating student progress to parents.

The Review Team recommends:

28. The Minister of Education should direct school boards to ensure that procedures are established to monitor the success of students, including students with special educational needs, on a regular basis throughout the school year and to report to the Minister about the procedures established by September 2001.

29. School Boards should promote the use of* Performance Standards *with students who have special educational needs and report about such use by September 2002.

School and System-Based Assessment

School accreditation is the formal process in the province which assesses a school's performance. The co-chairs heard concerns about how well the school accreditation process examines the school's services for students with special educational needs. Accreditation processes do not necessarily deal with the delivery of special education services. We believe that schools should ensure that considering evidence regarding programs and outcomes for students who have special educational needs is an integral part of school accreditation and that

improvement in the outcomes for students with special educational needs should be considered during the development of the school growth plan.

Province-wide assessments and examinations should provide the opportunity to monitor the progress of all students, including those with special educational needs.

The Review Team recommends:

30. The Minister of Education should direct that students with special educational needs should continue to participate in province-wide programs such as Foundation Skills Assessment and provincial examinations whenever possible in order to facilitate the evaluation of the effectiveness of special education interventions.

31. The Minister of Education should direct that evidence of the effectiveness of programs and outcomes for students who have special educational needs be included in school board annual reports.

Learning Assistance

Learning Assistance services are currently difficult to evaluate. The *Review of Learning Assistance Services* completed in July 1997 showed that methods of implementing learning assistance services have become very diverse. It is increasingly difficult for the ministry and school boards to assess the effectiveness of learning assistance without better information about student outcomes.

The Review Team recommends:

32. The Ministry of Education should re-distribute a synopsis of the Review of Learning Assistance Services by December 2000 to assist school boards in reviewing their own models of learning assistance delivery.

Communication and Cooperation Among Service Providers

Although Ministry of Education guidelines encourage communication and cooperation, the co-chairs received many comments regarding improvements needed in communications between home, school, other ministries, community agencies, health professionals and post-secondary institutions. Communication is critical to ensure that students with special educational needs derive the maximum benefit from their schooling. The professionals responsible for those students need accurate information about students' needs in a timely fashion. In carrying out this review the team learned that sometimes the information available to teachers and others in the school system is insufficient, not relevant, or has not been shared. On occasion, parents withhold information about their children that would be helpful to teachers and other professionals.

Before School Entry

There is significant evidence that investment in prevention and early support services improves outcomes for all children, youth and families and reduces long-term social and economic costs. Early childhood, including the prenatal period, is the most critical time for investing in the long-term well-being of children – creating healthier youth, families and communities. The Ministry for Children and Families provides a range of supports to students with special needs and their families. However, the team heard concerns about the lack of services to young children and their families. The team supports the idea that early intervention gives families a good start and eases the transition to school.

Children's early years are critically important to their future growth and development, and support and stimulation are essential for learning, motor, emotional and social skills. Children raised in caring, responsive and stimulating environments thrive. Although children are resilient and can benefit from later interventions, the costs of reversing the effects of a poor start in life increase as the child grows older, and the chances of success diminish.

New brain research in Canada has shown that failure to provide optimum opportunities for children's development from birth to five years of age actually makes their developing brains physically different from the brains of children who have been well nurtured, and these differences can have lifelong results.

At School Entry

School staff told the review team that they need information about a child's needs prior to the child's entering school so that an appropriate educational plan can be established at school entry. In the early years of childhood, a number of agencies and ministries may be involved in a child's life. Agencies responsible

for the children prior to their entry into the school system are sometimes reluctant to share information with the schools that become responsible for the children. Teachers, parents and other people working with young children stated that opportunities for early intervention are lost because agreements governing information sharing and service delivery between ministries, agencies, community groups, and schools are not in place or are not being implemented.

After School Entry

The school and community-based professionals should work together to ensure there is a coordinated plan for the provision of services to students and their families. The provision of workers to schools to support some students who require behavioural intervention and certain types of health care services are funded by the Ministry for Children and Families in collaboration with local school districts and health regions. In addition, schools maintain contacts with and are supported by Ministry for Children and Families professionals and contracted agencies in their communities. Professionals in the community often have a role in the school-based team, just as the school-based professionals are key to an integrated case management approach that may be supporting the child and family in the home.

The Inter-ministerial Protocols for the provision of Support Services to Schools (1989), while currently under review, continue to provide the framework to ensure communication between ministries and to clarify the roles and responsibilities of each participating ministry. In addition, the integrated case management policy and practice of the Ministry for Children and Families brings together the family, key service providers and professionals who support the child. This results in enhanced communication and more effective supports for both the child and families.

The Review Team recommends:

33. The Ministries of Education, Children and Families, Health, Social Development and Economic Security, and Attorney General should commit to completing the review and revisions to the 1989 Inter-ministerial Protocols of Support Services by December 2001.

34. Consistent with the provisions for the protection of privacy, the Minister of Education should encourage the Minister for Children and Families, the Minister of Health, the Minister of Social Development and Economic Security and the Attorney General to have the ministries and agencies under their control develop appropriate communication protocols for gathering and sharing relevant information about students who have special educational needs to ensure that they derive maximum benefit from the services being provided.

Other Services

Presently there are legislative barriers to the coordination of services between ministries. Schools are in session approximately 13 per cent of time available in a calendar year. Some students of school age would benefit from other ministries' services being provided beyond this time frame (weekends, holidays, and summer break).

The Review Team recommends:

35. The Ministry of Education should work with other ministries to develop a system that ensures that children with special needs have a continuum of services that begin in infancy, continue through the preschool and school years, and lead to their transition into the work force or post-secondary study.

School Transitions

Transition points, when not carefully managed, are opportunities for disruption and dislocation. These transition points occur when a student enters school, changes classes, changes schools, enters the workplace or enrolls in a post-secondary institution. Information sharing and planning are central to ensuring that students with special educational needs derive the maximum benefit from the time they enter school until their entry into the work force or post-secondary education. Linking of supports between one educational setting and the next one does not consistently occur during students' school experience. Schools do not always provide information in a timely fashion when students transfer or are promoted within or to another school.

The Review Team recommends:

36. The Minister of Education should direct that school boards report to the Minister by September 2001 indicating what steps they have taken to ensure that information about students who have special educational needs is maintained and transmitted in accordance with the Permanent Student Records and Individual Education Plan ministerial orders.

Career counselling, especially for individuals with special needs, is critical for smooth transition into post-secondary institutions or other environments. Youth with special needs leaving school must have the skills and the opportunities to find employment, engage in further education, and/or to function in the community.

The Review Team recommends:

37. The Minister of Education should discuss with the Minister of Advanced Education, Training and Technology appropriate ways of ensuring the smooth transition for students who have special educational needs from secondary schools to post-secondary institutions or other environments.

38. The Minister of Education should direct that the delivery of Career and Personal Planning curriculum for students who have special educational needs contain information related to workplace or post-secondary transition issues.

39. The Minister of Education should ask institutions responsible for preparation of school counsellors to include in their curricula attention to the unique needs of students who have special educational needs with respect to post-secondary education and work.

40. The document being prepared by the Ministry of Education on career/life transitions for students with special educational needs should be completed and made available as soon as is practical, but no later than December 2000.

Sharing Successful Practices

The co-chairs discovered that there is little sharing of successful practices, models, program delivery or resource documents between districts and in some cases between schools in the same district. There are some excellent services being provided across British Columbia and a common clearinghouse is required so that educators, support staff, parents and organizations can share with others. The gathering, reviewing and evaluating of these practices would be time consuming if done by the Ministry of Education. The reviewers believe that the method recently developed for gathering aboriginal education ideas called "What Works" may serve as a model for sharing successful practices in the field of special education.

The reviewers found the effective use of school based teams to be a topic for which sharing of ideas that work would be especially useful. Many briefs submitted to the review team spoke to the strengths of the concept of school-based teams, but expressed concern about the time, and on-going support needed to have this concept be truly effective. The review team suggests that successful practice in the use of school-based teams is efficient, streamlined, flexible and employed only when needed to benefit students.

The Review Team recommends:

41. The Ministry of Education should include on its website information about successful practices in the provision of service to students who have special educational needs and support district, regional and provincial conferences about the provision of services to students who have special educational needs.

42. The Ministry of Education should gather and disseminate information about effective models for the use of school based teams using the ministry's website.

Technology and Special Education

Technology can offer needed help to students with special educational needs and their teachers. Students whose special needs can be ameliorated should be provided with appropriate technological assistance. Computers can be used for many students, including translating of text material into Braille. Textbooks and books on tape can assist students who are blind. Alternate communication devices can help non-verbal students to convey needs and thoughts. Scanners can convert printed material so that students can view it and listen to it at the same time. Voice recognition systems can

assist students with reading and writing difficulties by transposing speech into print. Spelling and checking programs can also help. Tape recorders allow students to express their ideas orally. This is especially useful before a student's typing/keyboarding skills are fully developed. Calculators can assist students with arithmetic disabilities. Computer technology can provide teachers with the tools to adapt and modify materials and effectively develop IEPs. Special Education Technology British Columbia (SET-BC), a Provincial Resource Program designed to assist school districts in meeting the needs of some students with physical disabilities and visual impairments, has a waiting list of students who could benefit from its services.

The Review Team recommends:

43. The Ministry of Education should continue to support the funding for technologies to assist students who have special educational needs and their teachers.

44. The Minister of Education should investigate by December 2001 whether students who have special educational needs requiring technologies have timely access to them.

45. The Minister of Education should direct school boards to address in their annual technology plans the technological needs of students who have special educational needs.

Parental Appeals

The reviewers were told of concerns about procedural fairness arising from appeals conducted in accordance with Section 11 of the *School Act*. Section 11(2) of the *School Act* gives parents and students the right to appeal to their board of school trustees, within a reasonable time, any decision of an employee of the board that significantly affects the education, health or safety of a student. Section 11(1) states that "decision" also includes failure to make a decision. Section 11(3) of the *School Act* directs school districts to establish, by bylaw, an appeal procedure.

Decisions on appeals must be made with regard to the principles of natural justice and administrative fairness. Principles of natural justice include the notions that all parties to a decision must be heard, must receive notice of a hearing, must be informed of any evidence, and must have the opportunity to respond to such evidence. Hearings should be unbiased; those who made the initial decision should not also judge the appeal of that decision. Generally accepted principles of administrative fairness suggest that:

- hearings should be convened within a reasonable amount of time;
- hearings should be conducted in a fact-finding, non-adversarial manner;
- where appropriate, parties should have the opportunity to examine and cross-examine witnesses;
- all parties to the proceedings should be able to understand what takes place; and
- decisions made should be communicated to the person affected with reasons for decisions.

Procedural fairness does not mean that all parties agree with the decision or think it is right, but that the procedures used to arrive at that decision are fair. Mediation by a third party is optional and can occur at any point in the appeals process. The appeals procedure should be responsive to the needs of individual cases while consistently treating all parties fairly.

In a system that is working well appeals would not be necessary. It is more than a cliché to say that parents and schools need to work together in partnership for students. In most cases disagreements can be resolved informally, but in some situations a more formal process is needed. Dispute resolution processes should be focused on the educational needs of the individual child and be resolved in a manner that is timely and respectful.

The Review Team recommends:

***46. The Ministry of Education should make available on the ministry website its guide to ensuring procedural fairness in appeals arising under Section 11 of the* School Act.**

Conclusion

The Review Team agrees with the current special education policy, which states the following:

> British Columbians want an education system that reflects their belief that all students are unique, all students are to be valued, and all students can learn. Based on this belief, and the growing recognition that we cannot afford, either socially or economically, to leave untapped the potential of anyone, British Columbia has been moving toward an inclusive education system in which students with special needs are fully participating members of a community of learners.
>
> Students with special needs have disabilities of an intellectual, physical, sensory, emotional or behavioural nature, or have a learning disability or have exceptional gifts or talents.
>
> This diversity poses both challenges and opportunities for students, parents and teachers. It demands that we examine what we do and how we do it, in a way that is in the best interests of all students in our schools. *(Manual, page A1)*

The Ministry of Education's policies and procedures in the document *Special Education Services: A Manual of Policies, Procedures and Guidelines* provide an excellent framework for the provision of educational programs for students with special educational needs, although the interpretation and application of these policies and procedures need to be more consistent. To ensure that students with special education needs are deriving maximum benefit from their education, there should be increased emphasis on early identification and intervention, improved coordination in the provision of service and information sharing, and better monitoring and documentation of students' educational progress.

The review team believes that British Columbians want an educational system in which "special education" is demystified, one in which all students receive an educational program that ensures their success. The recommendations of this review are designed to achieve these ends.

The Review Team recommends:

47. The Minister of Education should issue a report by September 2003 indicating the progress made toward the implementation of the aforementioned recommendations.

Recommendations

1. (The Review Team recommends:)
The Minister of Education direct that, by September 2001, each school board formally adopt the Ministry of Education provincial special education policy or develop a district policy that complements the provincial policy in its applicability to the local jurisdiction.

2. Given the inconsistencies in the application of the practice of inclusion, the Minister of Education should direct school boards to review the principles of inclusion and integration set out in *Special Education Services: A Manual of Policies, Proceedures and Guidelines* to ensure that appropriate policies and programs have been established for students who have special educational needs, and to report to the minister the results of that review by September 2001.

3. School boards must ensure that each student's educational program is based on educational needs of the student with special educational needs and not based solely on funding allocations.

4. The Minister of Education should direct school boards to develop policies by September 2001 on suspension and expulsion of students with special needs that will ensure that such students have been adequately assessed, that appropriate interventions are applied before suspension is considered, that the grounds for suspension are clear and appropriate, that meaningful education programs or interventions are offered during the period of suspension, and that planning is undertaken for successful re-entry.

5. The Ministry of Education should formally remind school boards of their responsibility to provide an educational program to students who are removed or excluded from school under Section 91(6) of the *School Act*.

6. The Minister of Education should request that the British Columbia School Superintendents' Association and the British Columbia Principals' and Vice-Principals' Association report to the Minister by September 2001 how the associations ensure that factors critical to the success of special education services are understood and practised by their members.

7. The Ministry of Education should establish a program of tuition rebates to enable teachers to enroll in approved credit courses to increase their understanding of students who have special educational needs and their understanding of successful methods for addressing the educational needs of such students.

8. The Minister of Education should encourage the British Columbia College of Teachers to ensure that all teachers who successfully complete an approved program of initial teacher education have undertaken

course work that includes attention to special education as well as practica that involve work with a diverse range of students who have special educational needs.

9. The Ministry of Education should provide tuition rebates to teachers who undertake advanced study in special education in areas of significant shortage such as visual impairment.

10. The Ministry of Education should provide resources for the development of distance education courses in special education so that teachers working in remote regions of the province may undertake such courses in their home communities.

11. The Ministry of Education should work with local school boards, the B.C. Council of Administrators of Special Education, the British Columbia Teachers' Federation and the British Columbia Principals' and Vice-Principals' Association to ensure the continuation of the Effective Behaviour Support Training Program and other staff development activities of the Safe Schools Initiative.

12. The Minister of Education should direct the deputy minister to empanel a committee to delineate the roles and responsibilities of non-teaching employees who work with students who have special educational needs as well as appropriate standards for the preparation of such personnel. This committee should report to the minister by September 2001.

13. The Minister of Education should ask employer and employee organizations to identify clauses in existing collective agreements that might adversely affect students with special needs or contravene the rights of such students under the *School Act*, the *Charter of Rights and Freedoms*, or provincial human rights legislation, and to undertake steps to eliminate such clauses from future agreements.

14. The Ministry of Education should modify the current per pupil portion of the funding system such that students in the Severe Disabilities (Low Incidence/High Cost) and Dependent Disability categories continue to be funded using per pupil formulas under the present system and that supplementary funding for services for all other students with special educational needs (including learning assistance) be provided to school boards on a proportional basis.

15. The Ministry of Education should change its auditing system for special education funding from one that focuses on compliance with assessment and planning processes and procedures to one that focuses on the educational progress of students who have special educational needs.

16. The Ministry of Education should continue to target funds for special education until appropriate procedures are established to ensure that resources are being used to improve success for students who have special educational needs.

17. The Ministry of Education should revise its *Accounting, Budgeting, and Financial Reporting Manual* to ensure clarity for the Ministry of Education, school boards, employees, parents and the community in accounting for all targeted special education funds.

18. School boards should ensure that when special education funds are allocated to schools for site based management that the maximum benefit for students with special educational needs is derived from these financial resources. School boards should consider retaining some of the targeted funds as a contingency to provide district or regional services to specific programs.

19. The Ministry of Education should refrain from establishing new categories for funding students who have special educational needs.

20. The Ministry of Education should examine performance of students receiving special educational services in comparison to students who have not been identified as students with special educational needs.

21. The Minister of Education should direct school boards to report by September 2001 how they are using classroom based early assessments to detect students' skill difficulties and determine appropriate teaching/learning strategies to correct learning difficulties in reading, writing, spelling and numeracy.

22. The Minister of Education should direct school boards to report by September 2001 whether their special education policies require the appropriate use of criterion referenced assessments at the classroom level for the purpose of planning instruction, adapting instruction, and providing remediation.

23. The Minister of Education should direct school boards to implement policies and practices to ensure early identification of, and intervention with, students who have special educational needs, and to report to the minister about the implementation of such policies and practices annually, beginning June 2002.

24. School boards should assess the needs of students with special gifts and talents and provide them with appropriate early intervention and sustained support.

25. The Minister of Education should direct school boards to indicate by September 2001 how the practices of the school board are consistent with the requirements of the Individual Education Plan Order.

26. Faculties of education, as part of their initial teacher education, should provide instruction in the preparation of IEPs and parental participation in the process.

27. IEPs should be dynamic and teacher-coordinated. The Ministry of Education should provide school boards with a range of IEP templates and clear instructions that parents must be consulted about the program being planned. The IEPs developed using the templates should outline the students' needs and pathways to success and be specific about the results to be obtained.

28. The Minister of Education should direct school boards to ensure that procedures are established to monitor the success of students, including students with special educational needs, on a regular basis throughout the school year and to report to the minister about the procedures established by September 2001.

29. School boards should promote the use of Performance Standards with students who have special educational needs and report about such use by September 2002.

30. The Minister of Education should direct that students with special educational needs should continue to participate in province-wide programs such as Foundation Skills Assessment and provincial examinations whenever possible in order to facilitate the evaluation of the effectiveness of special education interventions.

31. The Minister of Education should direct that evidence of the effectiveness of programs and outcomes for students who have special educational needs be included in school board annual reports.

32. The Ministry of Education should re-distribute a synopsis of the Review of Learning Assistance Services by December 2000 to assist school boards in reviewing their own models of learning assistance delivery.

33. The Ministries of Education, Children and Families, Health, Social Development and Economic Security, and Attorney General should commit to completing the review and revisions to the 1989 Inter-ministerial Protocols of Support Services by December 2001.

34. Consistent with the provisions for the protection of privacy, the Minister of Education should encourage the Minister for Children and Families, the Minister of Health, the Minister of Social Development and Economic Security, and the Attorney General to have the ministries and agencies under their control develop appropriate communication protocols for gathering and sharing relevant information about students who have special educational needs to ensure that they derive maximum benefit from the services being provided.

35. The Ministry of Education should work with other ministries to develop a system that ensures that children with special needs have a continuum of services that begin in infancy, continue through the preschool and school years, and lead to their transition into the work force or post-secondary study.

36. The Minister of Education should direct that school boards report to the minister by September 2001 indicating what steps they have taken to ensure that information about students who have special educational needs is maintained and transmitted in accordance with the Permanent Student Records and Individual Education Plan ministerial orders.

37. The Minister of Education should discuss with the Minister of Advanced Education, Training and Technology appropriate ways of ensuring the smooth transition for students who have special educational needs from secondary schools to post-secondary institutions or other environments.

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needs with respect to post-secondary education and work.

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45. The Minister of Education should direct school boards to address in their annual technology plans the technological needs of students who have special educational needs.

46. The Ministry of Education should make available on the ministry website its guide to ensuring procedural fairness in appeals arising under Section 11 of the *School Act*.

47. The Minister of Education should issue a report by September 2003 indicating the progress made toward the implementation of the aforementioned recommendations.

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